

### **DECLARATION, POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare: that my residence, post office address, and citizenship are as stated below next to my name; that I verily believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **A METHOD AND COMPOSITION FOR FORTIFYING A SINGLE SERVING PREPARED BEVERAGE HAVING MINIMAL NUTRITIONAL VALUE**, the specification of which is attached hereto as **THORPE NORTH & WESTERN, LLP** Docket No. 22514, and given United States Application No. \_\_\_\_\_, that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above; and that I acknowledge the duty to disclose information which is material to patentability as defined in § 1.56(a) of Title 37 of the Code of Federal Regulations.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

I hereby appoint as its attorneys and/or patent agents the law firm of **THORPE NORTH & WESTERN, LLP**, having a business address of 8180 South 700 East, Suite 200, Sandy, Utah 84070, and **VAUGHN W. NORTH**, Registration No. 27,930; **M. WAYNE WESTERN**, Registration No. 22,788; **CLIFTON W. THOMPSON**, Registration No. 36,947; **GARRON M. HOBSON**, Registration No. 41,073; **PETER M. DE JONGE**, Registration No. 47,521; **WEILI CHENG**, Registration No. 44,609; **DAVID R. MCKINNEY**, Registration No. 42,868; **STEVE**

M. PERRY, Registration No. 45,357; GARY P. OAKESON, Registration No. 44,266; DAVID W. OSBORNE, Registration No. 44,989; JASON R. JONES, Registration No. 51,008; ERIK S. ERICKSEN, Registration No. 48,954; DAVID L. STOTT, Registration No. 43,937; JOHN W.L. OGILVIE, Registration No. 37,987; and CHRISTOPHER L. JOHNSON, Registration No. 46,809; all with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

All correspondence concerning this application should be directed to:

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Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Draper, UT (City, State), this 17 day of February, 2004.

INVENTOR(S):



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Signed at Draper, Utah (City, State), this 23<sup>rd</sup> day of January, 2004.

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